

## REQUEST FOR COUNCIL ACTION

321  
MEETING  
DATE: 04-07-03

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. <i>E-15</i>
ITEM DESCRIPTION: Annexation Petition #03-08 by GP Development LLC to annex approximately 44.99 acres of land located along the west side of 18 <sup>th</sup> Avenue SW, north of the Hart Farm Subdivision. The property is located in a part of the NW ¼ of Section 22 of Rochester Township.		PREPARED BY: Theresa Fogarty, Planner

April 2, 2003

### **City Planning and Zoning Commission Recommendation:**

The City Planning and Zoning Commission reviewed this annexation request on March 26, 2003. The Commission found that this property is adjacent to the City limits and can be served by city services upon extension of sanitary sewer and water lines from their present ends. The Planning Commission therefore recommends approval of this request.

Mr. Burke moved to recommend approval of Annexation Petition #03-08 by GP Development, Inc. Mr. Ohly seconded the motion. The motion carried 7-0.

### **Planning Department Recommendation:**

See attached staff report, dated March 18, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2002 is \$120.20.

### **Council Action Needed:**

1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.

### **Attachments**

1. Staff report, dated March 18, 2003.
2. Draft copy of the minutes of the March 26, 2003, CPZC meeting

### **Distribution:**

1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, April 7, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. McGhie & Betts, Inc.

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

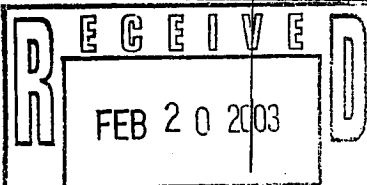
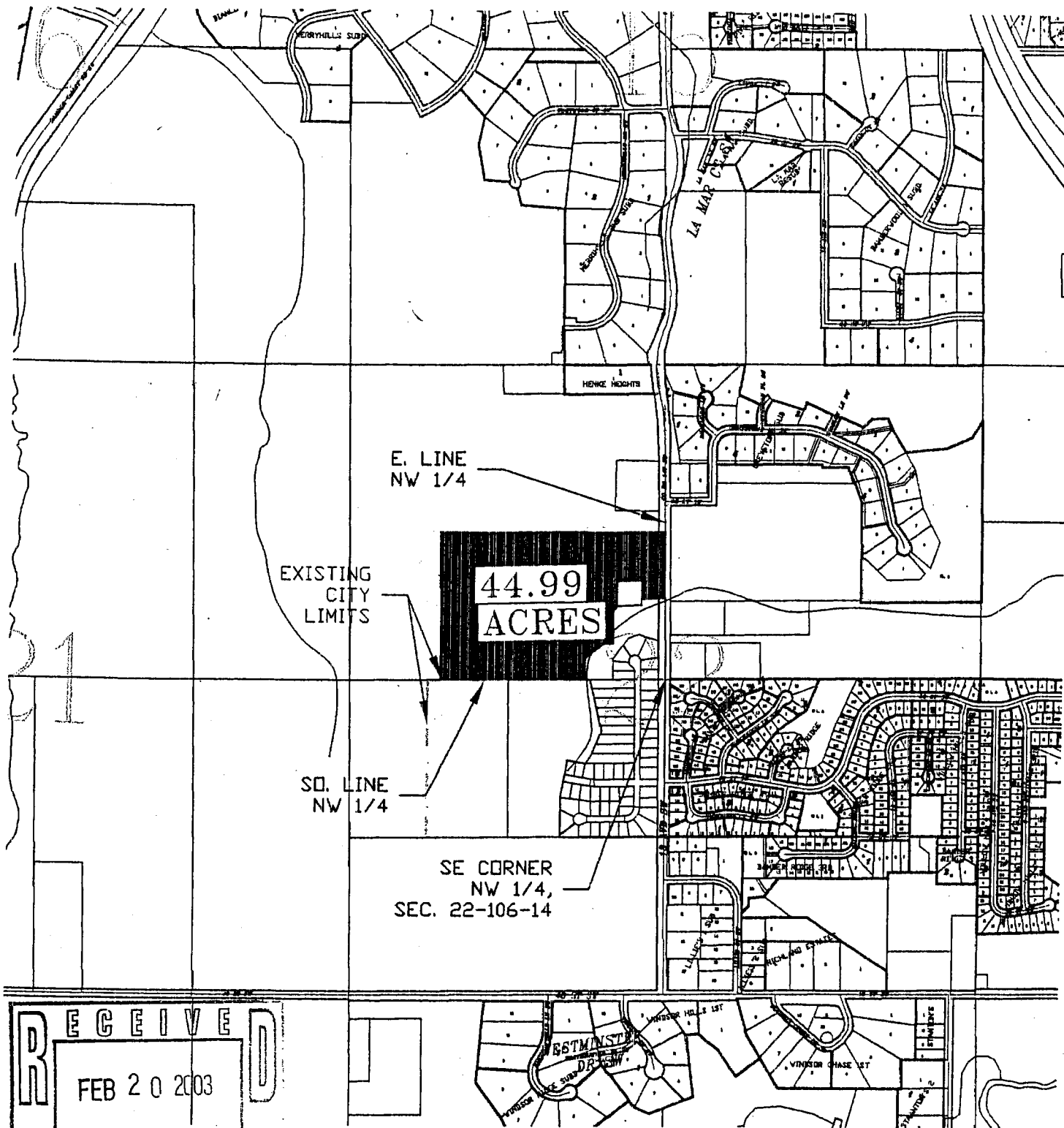
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# ANNEXATION EXHIBIT

DESCRIPTION:  
SEE ATTACHED



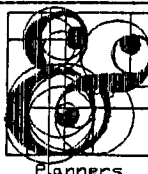
SCALE 1" = 400'



FOR:

GP DEVELOPMENT, LLC  
3015 18TH AVE. SW  
ROCHESTER, MN  
55902

McGhie  
Consulting Engineers



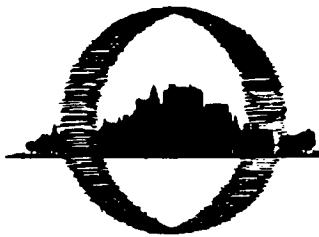
Betts, Inc.  
Land Surveyors

SCALE: 1" = 400'

DRAWN BY: JJJ

DATE: 02/20/03

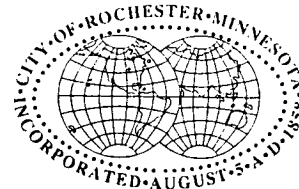
ACCT. NO.: 6732/0120



**ROCHESTER-OLMSTED PLANNING DEPARTMENT**

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF  
*Olmsted*



**TO: City Planning and Zoning Commission**

**FROM: Theresa Fogarty, Planner**

**DATE: March 18, 2003**

**RE: Annexation Petition #03-08 by GP Development LLC to annex approximately 44.99 acres of land located along the west side of 18<sup>th</sup> Avenue SW, north of the Hart Farms Subdivision. The property is located in a part of the NW ¼ of Section 22 of Rochester Township.**

**Planning Department Review:**

<b>Applicants/Owners:</b>	GP Development, Inc. 3015 NW 18 <sup>th</sup> Avenue Rochester, MN 55901
<b>Consultant / Engineer:</b>	McGhie & Betts, Inc. 1648 Third Avenue SE Rochester, MN 55904
<b>Location of Property:</b>	The property is located along the west side of 18 <sup>th</sup> Avenue SW, north of Hart Farms Subdivision.
<b>Existing Land Use:</b>	This property is currently undeveloped land.
<b>Size:</b>	The property proposed for annexation is approximately 44.99 acres of unplatted land.
<b>Existing Zoning:</b>	The property is zoned A-3 (Agricultural) District on the Olmsted County zoning map.
<b>Future Zoning:</b>	Upon annexation, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map.
<b>Land Use Plan:</b>	The property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.
<b>Adjacency to the Municipal Limits:</b>	The property is adjacent to the city limits at its southern and a portion of the southeastern boundaries.
<b>Sewer &amp; Water:</b>	Sanitary sewer and water is available to serve this property.



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**Utilities:**

Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

**Townboard Review:**

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on Monday, April 7, 2003. The City Clerk has sent the certified 30 day notice.

**Referral Comments:**

1. Rochester Public Works
2. MN Department of Transportation
3. Rochester Fire Department

**Report Attachments:**

1. Annexation Map / Location Map
2. Referral Comments (3letters)

**Staff Recommendation:**

This property is adjacent to the City limits and can be served by city services upon extension of sanitary sewer and water lines from their present ends. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).

# ROCHESTER

— Minnesota —

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TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

Date: 3/13/03

The Department of Public Works has reviewed the requested application for Annexation #03-08 on the GP Development LLC Property (for proposed Fieldstone plat). The following are Public Works comments on the proposal:

1. Sanitary Sewer & Water is available to serve this property.



Minnesota Department of Transportation

Minnesota Department of Transportation - District 6

Mail Stop 060  
2900 48<sup>th</sup> Street N.W.  
Rochester, MN 55901-5848

Office Tel: 507-280-2913

Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

March 11, 2003

Jennifer Garness  
Rochester Olmsted Planning Department  
2122 Campus Drive SE - Suite 100  
Rochester, MN 55904

RE: Final Plat #03-02 by Roger Payne to be known as Century Hills Seventh Subdivision. The Plat proposes to subdivide 9.44 acres of land into 25 lots for single family development.

Annexation Petition #03-08 by GP Development LLC to annex approximately 44.99 acres of land located along the west side of 18<sup>th</sup> Avenue SW.

Type II Conditional Use Permit and Type III, Phase II Restricted Development #03-05, by Mayo Foundation.

Land Subdivision Permit (Preliminary Plat) #03-10 to be known as Badger Village Townhomes by Circle 22 Investors, LLC.

Final Plat #99-25 by Rocky Creek of Rochester, LLC to be known as Glendale Hills Fourth.

Annexation Petition #03-10 by First Baptist Church to annex approximately 57.51 acres of land located along the north side of Salem Road SW (CSAH 25).

Land Subdivision Permit (Preliminary Plat) #03-09 to be known as North Park Fourteenth Subdivision by Leslie A. Lurken.

Land Subdivision Permit (Preliminary Plat) #03-08 to be known as Fieldstone by GP Development Inc.

Type III, Phase III Incentive Development Final Plan #02-50 by Church of St. Pius X.

Dear Ms. Garness:

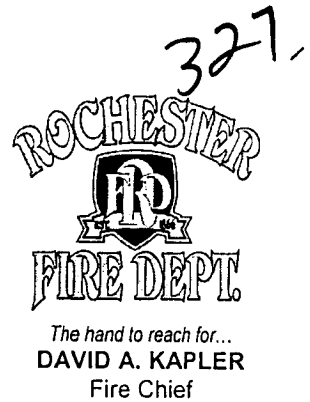
The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals. Although these developments do not have direct access to Mn/DOT roadways, Mn/DOT requests the City of Rochester to continue managing traffic impacts for both City and State roadways.

Thank you for keeping Mn/DOT informed. Any questions you have may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

A handwritten signature in cursive script that reads 'Dale E. Maul'.

Dale E. Maul  
Planning Director



DATE: March 3, 2003  
TO: Jennifer Garness, Planning  
FROM: R. Vance Swisher – Fire Protection Specialist  
SUBJECT: Annexation Petition #03-08 by GP Development, LLC.

With regard to the above noted annexation petition plan, the fire department has the following requirements with regard to future development on this site:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
  2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
  3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
  4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.
- c: Donn Richardson, RPU, Water Division  
GP Development – 3015 18<sup>th</sup> Ave NW – Rochester, MN 55901  
McGhie & Betts, Inc. – 1648 3<sup>rd</sup> Ave SE – Rochester, MN 55904

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Draft Minutes of the City Planning & Zoning Commission  
Date of Hearing: March 26, 2003

**ANNEXATION:**

**Annexation Petition #03-08 by GP Development LLC to annex approximately 44.99 acres of land located along the west side of 18<sup>th</sup> Avenue SW, north of the Hart Farms Subdivision. The property is located in a part of the NW ¼ of Section 22 of Rochester Township.**

Mr. Brent Svenby presented the staff report, dated March 18, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Mr. Haeussinger asked if the Commission reviewed the general development plan.

Mr. Svenby responded late January 2003.

**Mr. Burke moved to recommend approval of Annexation Petition #03-08 by GP Development LLC. Mr. Ohly seconded the motion.**

Mr. Staver stated that one way to manage the expense to the City and County is to manage growth. He stated that he would like to get guidance from the City Council and County Commissioners regarding how to accomplish this.

Ms. Petersson stated that she agreed with Mr. Staver.

Mr. Burke explained that, when property is annexed, it gives the City the opportunity to work on long-range planning.

Discussion ensued regarding the annexation process and development.

Mr. Svenby stated that the property falls within the Urban Service Area.

**The motion carried 7-0.**